

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DARIN POOLE, :

Plaintiff, :

-against- :

THE CITY OF NEW YORK, :

Defendant. :

-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/5/2012

**REPORT AND  
RECOMMENDATION  
TO THE HONORABLE  
BARBARA S. JONES**

11 Civ. 8886 (BSJ) (FM)

**FRANK MAAS**, United States Magistrate Judge.

Plaintiff Darin Poole commenced this suit by filing a complaint which is dated November 28, 2011. (ECF No. 1). When he failed to effect service within 120 days, I directed the Pro Se Office to issue him supplemental summonses, and direct that he effect service by October 1, 2012. The Pro Se Office mailed a service package to Poole's last known address on August 28, 2012. Since then, Poole has not effected service, nor has he communicated with the Court. For these reasons, I recommend that his complaint be dismissed without prejudice for want of prosecution.

Notice of Procedure for Filing  
Objections to this Report and Recommendation

The plaintiff shall have fourteen days from the service of this Report and Recommendation to file written objections pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 6(a) and (d). Any such objections shall be filed with the Clerk of the Court, with courtesy copies delivered

to the chambers of the Honorable Barbara S. Jones and to the chambers of the undersigned at the United States Courthouse, 500 Pearl Street, New York, New York 10007, and to any opposing parties. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b). Any requests for an extension of time for filing objections must be directed to Judge Jones. The failure to file these timely objections will result in a waiver of those objections for purposes of appeal. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b); Thomas v. Arn, 474 U.S. 140 (1985).

Dated: New York, New York  
November 5, 2012



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FRANK MAAS  
United States Magistrate Judge

Copy to:

Darin Poole  
32 Lewis Street  
Nagatuck, Connecticut 06710

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